

***United States Court of Appeals
for the Second Circuit***



**APPELLANT'S
APPENDIX**

75-1233

7cc

To be argued by
MICHAEL YOUNG

B
P/S

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

UNITED STATES OF AMERICA,

Appellee,

-against-

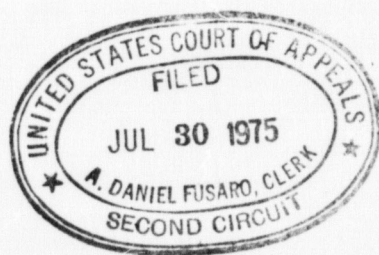
DAVID HERNDON,

Appellant.

Docket No. 75-1233

APPENDIX TO APPELLANT'S BRIEF

ON APPEAL FROM A JUDGMENT
OF THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK



MICHAEL YOUNG,
Of Counsel.

WILLIAM J. GALLAGHER, ESQ.,
THE LEGAL AID SOCIETY,
Attorney for Appellant
DAVID HERNDON
FEDERAL DEFENDER SERVICES UNIT
509 United States Court House
Foley Square
New York, New York 10007
(212) 732-2971

PAGINATION AS IN ORIGINAL COPY

75CR 192

MISHLER, J.

74CR697

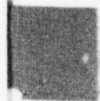
| | |
|-------------------|---------------------|
| TITLE OF CASE | ATTORNEYS |
| THE UNITED STATES | For U. S.: CORCORAN |
| VS. | |
| DAVID HERNDON | |
| | |
| | |
| | |
| | For Defendant: |
| | LEGAL AID |
| | |
| | |
| | |
| Bank Robbery | |

| ABSTRACT OF COSTS | AMOUNT | CASH RECEIVED AND DISBURSED | | | |
|-----------------------|--------|-----------------------------|--------------------------|----------|-----------|
| | | DATE | NAME | RECEIVED | DISBURSED |
| Fine, | | | | | |
| Clerk, | | 6-10-75 | Notice of Appeal(no fee) | | |
| Marshal, | | | | | |
| Attorney, | | | | | |
| Commissioner's Court, | | | | | |
| Witnesses, | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

| DATE | PROCEEDINGS |
|---------|--|
| 13/75 | Before PLATT.JJ - Indictment filed |
| 3-24-75 | Before MISHLER, CH J - case called - deft & counsel M.Seltzer of Legal Aid present - deft arraigned and after being advised of his rights and on his own behalf enters a plea of guilty to count 2- sentence addid without date. |
| 7/75 | Letter from Marion Seltzer dated 5/6/75 filed re:adjournment of sentence |
| 7/75 | Copy of Letter from Judge Mishler to Marion Seltzer filed re:that sentence is rescheduled to 6/6/75 |
| 6/6/75 | Before MISHLER, CH.J.- Case called- Deft and counsel present-Deft sentenced to imprisonment for a period of 5 years on count 2- pursuant to T-18, U.S.C. Sec. 4208(a)(2)- On motion of A.U.S.A. Gould count 1 is dismissed |

75 CR 192

[illegible]



RJD:PFC:cj
F.#751,389.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- x

UNITED STATES OF AMERICA,

-against-

DAVID HERNDON,

Defendant.

----- x

THE GRAND JURY CHARGES:

COUNT ONE

On or about the 28th day of October, 1974, within the Eastern District of New York, the defendant DAVID HERNDON did knowingly, wilfully and feloniously, by force, violence and intimidation attempt to take from the person and presence of employees of the Greater New York Savings Bank, 55 Flatbush Avenue, Brooklyn, New York, a sum of United States currency, which money was in the care, custody, control, management and possession of the said bank, the deposits of which bank were then and there insured by the Federal Deposit Insurance Corporation. (Title 18, United States Code, Section 2113(a)).

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SUPERSEDING INDICTMENT

Cr. No. _____
(T. 18, U.S.C., §2113(a))

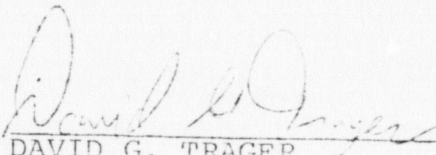
FILED
IN CLERK'S OFFICE
U. S. DISTRICT COURT E.D. N.Y.
★
MAR 13 1975 ★
TIME A.M.
P.M.

COUNT TWO

On or about the 28th day of October, 1974, within the Eastern District of New York, the defendant DAVID HERNDON did knowingly and wilfully enter, with the intent to commit a larceny, the Greater New York Savings Bank, 55 Flatbush Avenue, Brooklyn, New York, the deposits of which bank were then and there insured by the Federal Deposit Insurance Corporation. (Title 18, United States Code, Section 2113(a)).

A TRUE BILL.

FOREMAN


DAVID G. TRAGER
UNITED STATES ATTORNEY

①

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

WORLD SAVINGS OF AMERICA

vs. Defendant-

DAVID HILSON,

Defendant.

Case No. 74 CR 697,
(S.D., E.D.N.Y., 1974)

November 8, 1974

THE GRAND JURY CHURCHES:

On or about the 18th day of October, 1974, within the Eastern District of New York, the defendant DAVID HILSON did knowingly, willfully and feloniously, by force, violence and intimidation attempt to take from the person and presence of employees of the Colonial New York Savings Bank, 55 West 42nd Street, New York, New York, a sum of United States currency, which money was in the care, custody, control, management and possession of the said bank, the deposits of which bank were then and to be insured by Federal Deposit Insurance Corporation. (Title 18, United States Code, section 2113(a)).

A TRUE BILL.

FORWARDED.

CERTIFICATE OF SERVICE

7/30, 1975

C
I certify that a copy of this brief and appendix
has been mailed to the United States Attorney for the
Eastern District of New York.

Walter A. H.